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DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Agency Information Collection Activities: Arrival and Departure Record (Forms I-94 and I-94W) and Electronic System for Travel Authorization

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 60-Day Notice and request for comments; Revision of an existing collection of information: 1651-0111.

SUMMARY: As part of its continuing effort to reduce paperwork and respondent burden, CBP invites the general public and other Federal agencies to comment on an information collection requirement concerning the CBP Form I-94 (Arrival/Departure Record), CBP Form I-94W (Nonimmigrant Visa Waiver Arrival/Departure), and the Electronic System for Travel Authorization (ESTA). This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3507).

DATES: Written comments should be received on or before

(INSERT DATE 60 DAYS FROM THE DATE OF PUBLICATION IN THE FEDERAL REGISTER) to be assured of consideration.

ADDRESS: Direct all written comments to U.S. Customs and Border Protection, Attn: Tracey Denning, Regulations and Rulings, Office of International Trade, 90 K Street, NE, 10th Floor, Washington, DC. 20229-1177.

FOR FURTHER INFORMATION CONTACT: Tracey Denning, U.S. Customs and Border Protection, Regulations and Rulings, Office of International Trade, 90 K Street, NE, 10th

Floor, Washington, DC. 20229-1177, at 202-325-0265.

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3507). The comments should address: (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) the annual costs burden to respondents or record keepers from the collection of information (a total capital/startup costs and operations and maintenance costs). The comments that are submitted will be summarized and included in the CBP request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document CBP is soliciting comments concerning the following information collection:

Title: Arrival and Departure Record, Nonimmigrant Visa Waiver

Arrival/Departure, and Electronic System for Travel Authorization (ESTA)

OMB Number: 1651-0111

Form Numbers: I-94 and I-94W

Abstract: CBP Forms I-94 (Arrival/Departure Record) and I-94W (Nonimmigrant Visa Waiver Arrival/Departure Record) are used to document a traveler's admission into the United States. These forms are filled out by aliens and are used to collect information

on citizenship, residency, and contact information. The data elements collected on these forms enable the DHS to perform its mission related to the screening of alien visitors for potential risks to national security, and the determination of admissibility to the United States. The Electronic System for Travel Authorization (ESTA) applies to aliens traveling to the United States under the Visa Waiver Program (VWP) and requires that VWP travelers provide information electronically to CBP before embarking on travel to the United States. Travelers who are entering under the VWP in the air or sea environment, and who have a travel authorization obtained through ESTA, may forgo completing the paper Form I-94W.

CBP now gathers data collected on the paper Form I-94 from existing automated sources in lieu of requiring passengers arriving by air or sea to submit a paper I-94 upon arrival. The paper I-94 is still required from travelers entering the United States at a land border. Passengers can access and print their electronic I-94 via the website at www.cbp.gov/I94.

CBP proposes to revise some of the questions on ESTA and on Form I-94W in order to make them more easily understandable to respondents, and to collect more detailed information about health and security issues. CBP also proposes to remove some questions from ESTA and from Form I-94W that are no longer relevant.

ESTA can be accessed at http://www.cbp.gov/xp/cgov/travel/id_visa/esta/ . Instructions and samples of CBP Forms I-94 and I-94W can be viewed at http://www.cbp.gov/xp/cgov/travel/id_visa/i-94_instructions/filling_out_i94.xml and http://www.cbp.gov/xp/cgov/travel/id_visa/business_pleasure/vwp/i94_samples.xml

Current Actions: This submission is being made to revise the information

collected on ESTA and on Form I-94W by adding some new health and security questions; by revising some of the existing questions; and by removing some questions that are no longer relevant. The estimated number of I-94Ws filed annually was increased due to updated estimates. There is no change to the estimated time to complete ESTA or Form I-94W. There are no proposed changes to Form I-94.

Type of Review: Revision

Affected Public: Individuals, Carriers, and the Travel and Tourism Industry

Form I-94 (Arrival and Departure Record):

Estimated Number of Respondents: 4,387,550

Estimated Number of Total Annual Responses: 4,387,550

Estimated Time per Response: 8 minutes

Estimated Burden Hours: 583,544

Estimated Annual Cost to Public: \$26,325,300

I-94 Website:

Estimated Number of Respondents: 5,047,681

Estimated Number of Total Annual Responses: 5,047,681

Estimated Time per Response: 4 minutes

Estimated Annual Burden Hours: 333,147

Form I-94W (Nonimmigrant Visa Waiver Arrival/Departure):

Estimated Number of Respondents: 1,835,951

Estimated Number of Total Annual Responses: 1,835,951

Estimated Time per Response: 8 minutes

Estimated Annual Burden Hours: 244,181

Estimated Annual Cost to the Public: \$11,015,706

Electronic System for Travel Authorization (ESTA):

Estimated Number of Respondents: 21,910,000

Estimated Number of Total Annual Responses: 21,910,000

Estimated Time per Response: 15 minutes

Estimated Total Annual Burden Hours: 5,477,500

Estimated Annual Cost to the Public: \$252,420,000

Dated: November 20, 2013

Tracey Denning

Agency Clearance Officer

U.S. Customs and Border Protection

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